

## REMARKS and ARGUMENTS

This response is to the Office communication mailed in the above-referenced case on July 17, 2008.

**1.0** Claims 19, 22 - 24, 29 and 34 are currently amended and claims 26 and 28 are cancelled in response to Examiner's arguments.

**1.1** Support for amended claims may be found in the specification as follows:

**1.1.1 control units** pg. 5, L 1-5.

**1.1.2 RF technology** pg. 5, L 15-25; pg. 10, L21; pg.12, L35-39.

**1.1.3 software control module** pg. 6, L 14 -25.

**1.1.4 control outputs** pg. 19, L 40-43.

**1.1.5 redundancy-based protocol** pg. 42, L 38-42; Fig. 11, pg.43, L29.

**1.1.6** The specifications of U.S. 6,374,079 (09/569,746) and 09/477,226 are included by reference in their entirety; pg. 1, L15 - 22.

**2.0** Applicant respectfully disagrees with Examiner’s comment that “Suguria’s “base station and wire line” comprise all of the attributes of the instant invention”. Nowhere does Suguria mention or suggest an internet connection, a sensor or an actuator. Suguria is solving a problem of locating mobile transmitters; how does this relate to controlling and/or reading a fixed home sensor and/or actuator?

**4.0** Examiner rejects claims 19, 22-24, 27-28, and 34-36 under 35 U.S.C. 103(a) as being unpatentable over U.S. 7,213,061 to Hite in view of U.S. 6,362,783 to Suguria.

**4.1** Applicant respectfully points out that U.S. 6,362,783 to Suguria, et al. has absolutely no relevance to the instant invention or to the invention of Hite. Suguria is disclosing a method

to locate a mobile radio transmitter. Please note the Abstract of U.S. 6,362,783:

*“A method of detecting **a position of a radio mobile station in radio communications**, which is capable of accurately and simply finding the position of the mobile station. At a measuring point the mobile station measures the reception radio strength levels from a plurality of base stations and conveys the measurement results through the base station to a control station. The control station learns, through a neural network, the correlation between the reception radio strength levels and the position of the mobile station on the basis of the measurement results at a plurality of measuring points and the positions of the measuring points. Subsequently, when the mobile station communicates to the control station the reception radio strength levels measured at an arbitrary point, the control station estimates the position of the mobile station, causing those measurement results, on the basis of the correlation obtained through the learning.”*

The words “internet” and “sensor” do not appear in the Suguria specification or claims.

**4.2** There is clearly no motivation to combine Hite and Suguria because the inventions are unrelated and have no common purpose or components. The instant invention, as well as Hite, make no use of “mobile radios” or neural networks or “measuring points”.

**4.3** With all due respect, Examiners comments in the last sentence of her 4.a. do not apply to the instant invention; the instant invention has no “mobile station”. The RF transmitter of the instant invention is of limited range and signal strength, in no way comparable to the radio transmitters of Suguria’s invention. There is no market pressure or design need or incentive to combine the Hite and Suguria inventions; the instant invention is already superior and lower cost for its applications. Suguria teaches no elements, including “base station” which are a simple substitution into the instant invention’s components; Suguria has

no relevance to the instant invention or to Hite.

**4.4** Examiner cites that Suguria teaches a “base station” comprising a “wireline”. Please note in §14 L15:

*“...and **a base station** 105 is made up of a base station control section 106 for controlling the operation of the base station 106, a base station transmission and reception section 107 for signal transmission and reception to and from the mobile station 101, and a base station input and output section 108 for signal transmission and reception to and from a control station 111 through a wire line, and further the control station 111 is equipped with a control station control section 112 for controlling the operation of the control station 111, a communication control section 113 for controlling the communication with the base station 105, a position input section 114 for undergoing the input of coordinate data on a radio strength measuring point, position learning processing section 115 for learning, through a neural network, the correlation between the position of the mobile station 101 and the reception radio strength level at that point and for storing the correlation there between, and a position estimation processing section 116 for estimating the position of the mobile station 101 on the basis of the measured radio strength level through the use of the stored correlation. In FIG. 1, numerals 109 and 110 represent different base stations each having the same arrangement as that of the base station 105.”*

The fact that Suguria uses the terms “base station” and “wire” is not cause for relevance to the instant invention. The “control unit” of the instant invention communicates to sensors and actuators and is in RF communication with a “base station” which has internet access. The base stations and wire lines of Suguria have none of the attributes or features of the instant invention as detailed in the claims or specification. Suguria’s “wire line” and the

“wiring interface” of the instant invention are not interchangeable and do not provide the same functionality in the respective inventions other an electrical connection.

**6.0** Examiner rejects claims 29-33 under 35 U.S.C. 103(a) as being unpatentable over U.S. 7,213,061 to Hite in view of U.S. 6,826,607 to Gelvin. Applicant respectfully points out that Examiner failed to respond to Applicant’s arguments as presented in the Office Action Response of Dec. 13, 2007; in P2 Examiner says Applicant’s arguments are moot in view of new grounds of rejection.

**6.1** Applicant respectfully points out that neither Hite nor Gelvin teach a system comprising a base station and a control unit: such that the control unit produces control outputs for a particular home automated-system or appliance in response to input from sensing subsystems associated with the particular home automated-system or appliance and in response to other sensors associated with other home automated-systems or appliances as determined by the software-control module and the control code and wherein the redundancy-based networking protocol comprises a state wherein if one control unit is out of communication range with the base station another control unit may intercept communication on behalf of the out-of range control unit and retransmit to the out-of range control unit.

**6.2** In the instant invention sensors and actuators are accessible through a control unit, a condition clearly structurally different from Gelvin and Hite and stated in the claims of the instant invention.

**6.3** Applicant respectfully points out that the instant invention does not rely on a “low power distributed sensor network” since the sensors are associated with a control unit.

Additionally, a “10 Mbps Ethernet network” is not mentioned in the specification or claims

of the instant invention. Examiner's remarks with regard to combining Hite and Gelvin for an interface between the two do not make much sense.

**6.4** Applicant respectfully points out that the prior art references as relied upon by the Examiner as a §103 rejection do not contain, singularly or in combination, every element recited in the amended claims in as complete detail as is contained in the claims and arranged as recited in the claims.

**Conclusion:**

Applicant has shown that the cited prior art does not teach or suggest the instant invention.

Applicant has amended the claims with additional elements to further distinguish the instant invention over the prior art.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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